

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN C. DEMATOS and)
KELLIE ARRUDA,)
Plaintiffs)
)
Vs.) CIVIL ACTION NO.: 05-10372
)
)
MARSHALL S. HAZARD and)
GENERAL TRANSPORTATION)
SERVICE,)
Defendants)
)

MOTION TO CONTINUE STATUS CONFERENCE
(ASSENTED TO)

The defendants, Marshall S. Hazard and General Transportation Service, with the assent of the plaintiff, John C. DeMatos and Kellie Arruda, hereby respectfully request that this Honorable Court continue the Status Conference currently scheduled for January 18, 2006, before the Honorable Magistrate Judge Joyce London Alexander.

The Status Conference is scheduled for January 18, 2006, however, the parties seek to continue the Status Conference as counsel for the defendants, Gordon L. Sykes, is unavailable on that date due to pre-arranged vacation plans. In addition, defendants', Meredith P. Rainey, is also unavailable on that date due to a pre-arranged vacation. Both counsel recently attended the Alternative Dispute Resolution Hearing that resulted in settlement of the plaintiff, Kellie Arruda's, case.

Although Associate Attorney Brian Sullivan is available to attend the Status Conference, if necessary, it is thought that the conference will prove more fruitful if continued to allow Attorney Sykes or Attorney Rainey to attend.

Accordingly, the defendants, with the assent of the plaintiff, John C. DeMatos, request that this Honorable Court continue the Status Conference.

By Their Attorneys,

MORRISON MAHONEY LLP

/s/ Gordon L. Sykes
Gordon L. Sykes
BBO# 555580
10 North Main Street
Fall River, MA 02720
(508) 677-3100

ASSENTED TO:

/s/ Joseph H. Silvia
Joseph H. Sylvia
Saulino & Silvia, P.C.
550 Locust Street
Fall River, MA 02720
(508) 675-7770

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KELLIE ARRUDA,

Plaintiffs

V.S.

GENERAL TRANSPORTATION

SERVICE,

Defendants

CIVIL ACTION NO.: 05-10372

AFFIDAVIT

I, Gordon L. Sykes, on oath depose and state:

1. I am counsel of record for the defendants in the above entitled action.

2. I will be out of the Commonwealth from January 15, 2006, through January 22,

2006, for a pre-arranged vacation.

3. Associate Attorney Meredith P. Rainey has been assisting in the defense and

recently attended the Alternative Dispute Resolution Hearing resulting in a settlement of the claims of plaintiff, Kellie Arruda.

4. Attorney Rainey is also on vacation the week of January 15, 2005, and has plans

to be out of the country.

SIGNED under the pains and penalties of perjury this 10th day of January, 2006.

/s/ Gordon L. Sykes

Gordon L. Sykes

BBO #555580

10 North Main Street

Fall River, MA 02720

(508) 677-3100